

## **REMARKS**

In the Office Action dated February 11, 2004 the Examiner stated that the Terminal Disclaimer filed on August 28, 2003 disclaiming the terminal portion on any patent granted on the subject application, which would extend beyond the expiration date of US Patent No. 5,937,576 has been reviewed and is was not accepted. The reason for not accepting the Terminal Disclaimer was stated that the "instant" application being disclaimed was not identified; and the patent being disclaimed was improperly identified.

Accordingly, submitted herewith is a newly executed Terminal Disclaimer setting forth the identity of the instant application as well as indicating that the terminal portion of any patent granted on application would not extend beyond the expiration of US Patent No. 6,672,005.

It is respectfully submitted that the Terminal Disclaimer is proper, in accordance with the Examiner's requirements, and thus should be entered. Such is respectfully requested.

The Examiner indicated that the lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. The Examiner then requested Applicant's cooperation in correcting any errors of which applicant may become aware of in the specification.

The specification has been reviewed to determine the presence of all possible minor errors, as requested by the Examiner and no errors were located.

The Examiner then objected to the disclosure because of the following informalities:

Paragraph [001] should be updated to reflect the patented status of US Application No. 10/447,601.

As required by the Examiner, paragraph [001] has been amended to reflect the patent status of US Application No. 10/447,601.

In the claims the Examiner objected to claim 7 because in line 3 "of tab" should be -- of the tab -- . Accordingly, by the present amendment Applicant has amended claim 7 as required by the Examiner.

In the Office Action the Examiner rejected claims 1 - 12 under judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 - 12 of US Patent No. 6,672,005. In support of the rejection the Examiner stated:

Although the conflicting claims are not identical, they are not patentably distinct from each other because; the decorative assembly of the instant application (instant independent claims 1 and 9) and the floral holding material of the instant application (independent claims 5 and 11) are broadly encompassed by the decorative assembly of the conflicting '005 patent (claims 1 and 9) and the floral holding material of the conflicting '005 patent (claim 5 and 11).

Furthermore, instant dependent claims 2, 4, 7 and 8 are encompassed by conflicting '005 dependent claims 2, 4, 7 and 8.

Finally, instant repeating dependent claims 3, 6, 10 and 12 are identical to repeating conflicting '005 dependent claims 3, 6, 10 and 12.

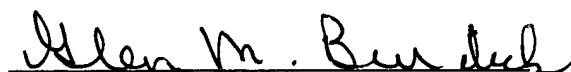
Submitted herewith is a duly executed Terminal Disclaimer disclaiming the terminal portion of any patent granted on the subject application, which would extend beyond the expiration date of US Patent No. 6,672,005. Also submitted herewith is a certificate showing common ownership of the subject application with the before mentioned patent.

Therefore, it is respectfully submitted that the Examiner's rejection of the claims under the judicially created doctrine of obviousness-type double patenting has been obviated by the filing of the Terminal Disclaimer and certificate herein. Accordingly, it is respectfully requested that the Examiner withdraw the rejection to such claims and pass such claims to issue.

This is intended to be a complete response to the Official Action mailed February 11, 2004, in which claims 1 - 12 were rejected. Applicants have amended claim 7 herein.

In view of the above, Applicants believe the claims are now in a condition for allowance and request issuance of a Notice of Allowance thereof.

Respectfully submitted,

A handwritten signature in cursive script, reading "Glen M. Burdick".

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